

321 CMR: DIVISION OF FISHERIES AND WILDLIFE.

321 CMR 3.00: HUNTING.

3.02: HUNTING, PARTICULAR GAME.

(7) Hunting of Gray Squirrels. In accordance with the provisions of M.G.L. c. 131, § 5, I hereby declare an annual open season on gray squirrels as follows:

(a) Definitions: For the purposes of 321 CMR 3.02(7), the following words or phrases shall have the following meanings:

Shotgun Deer Season means that season when it is lawful to hunt deer with a shotgun as provided for in 321 CMR 3.02(4)(b)3.

Zone or Zones means the Massachusetts wildlife management zones as described in 321 CMR 3.02(4)(o).

(b) Open Seasons and Zones.

1. ~~Gray squirrel may be taken~~ from the first Saturday after Columbus Day to January 2, ~~both dates inclusive, in all counties east of the eastern boundary of Worcester County,~~ in **Zones 10 through 14**, except during ~~the shotgun deer season; that season when deer may be legally taken by means of a shotgun; and~~

2. from the second Monday in September through January 2, ~~both dates inclusive, in Worcester County and all counties west thereof,~~ in **Zones 01 through 09**, except during **the shotgun deer season**. ~~that season when deer may be legally taken by means of a shotgun; and except that~~

(c) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may take gray squirrels from the first Saturday after Columbus Day to the following March 15 in **Zones 10 through 14** ~~all counties east of the eastern boundary of Worcester county~~ and from the second Monday in September to the following March 15 in **Zones 01 through 09**, ~~Worcester county and all counties west thereof,~~ provided that said falconers shall abide by all other **applicable provisions of M.G.L. c. 131 and 321 CMR** ~~seasons, bag limits, hunting hours, and rules and regulations of the Division~~ while pursuing game.

(d) Hunting Hours. The hunting hours during each calendar day of the open season shall begin at + hour before sunrise and end at + hour after sunset, except as provided in 321 CMR 3.01(1)(n).

(e) Bag Limits. A person shall not kill or take more than the following bag limits: five gray squirrels in one day nor possess at any time more than ~~ten~~ **10**.

(f) Prohibitions. A person shall not take or kill a gray squirrel at any time by means of a handgun or rifle of any caliber in **Zones 10 through 14**, ~~all counties east of the eastern boundary of Worcester County,~~ nor shall any person ~~in the Commonwealth~~ trap or net, or construct or set a trap or net for the purpose of taking or killing a gray squirrel, **except as provided in M.G.L. c. 131, §§ 4 and 37**.

~~(d) The provisions of 321 CMR 3.02(7) shall not apply to the owner or occupant of any dwelling house or other buildings or the owner of any fruit tree or of grain or other growing cultivated crop finding any gray squirrel doing damage to the same.~~

Regulatory Authority: M.G.L. c. 131, § 5.